



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

217/524-3300

CERTIFIED MAIL

AUG 07 2013

7011 1150 0001 0862 5897

Illinois Railway LLC
Attention: Ken Rose
430 West Madison Street
Ottawa, Illinois 61350

Re: LPC #0998995017 -- LaSalle County
Wedron / Illinois Railway, LLC
Intersection of East 2153rd Road (Hwy 11) and North 3462nd Road (Hwy 21)
Leaking UST Incident #20130463
Leaking UST Technical File

IEPA DIVISION OF RECORDS MANAGEMENT
RELEASABLE

AUG 16 2013

Dear Mr. Rose:

REVIEWER EAV

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the 45-Day Report (report) for the above-referenced incident. The report, dated June 14, 2013, was received by the Illinois EPA on June 19, 2013. Citations in this letter are from the Environmental Protection Act (Act), as amended by Public Act 92-0554 on June 24, 2002, and Public Act 96-0908 on June 8, 2010, and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The 45-Day Report is approved pursuant to 35 Ill. Adm. Code 734.505(b) and 734.510(a); therefore, the 45-day reporting requirements of Section 57.6 of the Act and 35 Ill. Adm. Code 734.210(d) have been satisfied.

In accordance with 35 Ill. Adm. Code 734.315(b) and 734.310(b), a certification signed by the owner or operator, and by a Licensed Professional Engineer or Licensed Professional Geologist, that the Stage 1 site investigation will be conducted in accordance with 35 Ill. Adm. Code 734.315 must be submitted. The form is accessible at <http://www.epa.state.il.us/land/lust/forms/technical-forms/stage1-site-investigation-cert.pdf>. The completed Stage 1 Site Investigation Certification must accompany your next submittal. Meanwhile, you must proceed with the Stage 1 site investigation in accordance with 35 Ill. Adm. Code 734.315. Please be advised that, if you do not meet the eligibility requirements as determined by the Office of the State Fire Marshal, you may not be entitled to payment from the Underground Storage Tank Fund for costs incurred. Further, please be advised that costs must not exceed the amounts set forth in 35 Ill. Adm. Code 734.Subpart H, Appendix D, and Appendix E.

The Illinois EPA requires that the owner or operator submit a site investigation plan and budget for the subsequent stage of investigation (including the results of the Stage 1 site investigation and a summary of actual costs) or a site investigation completion report (if the extent of

contamination is defined) within 90 days of the date of this letter pursuant to Sections 57.7(a) and 57.12(c) and (d) of the Act and 35 Ill. Adm. Code 734.305. Please note that the Illinois EPA does not require the submission of a budget if the owner or operator does not intend to seek payment from the Underground Storage Tank Fund.

This action does not constitute any decision or determination regarding the timeliness of the submittal of the report. This decision does not waive or otherwise preclude any enforcement action the Illinois EPA may initiate in response to any apparent violation of timely submittal requirements.

Please be advised that Senate Bill 20/Public Act 98-109, which became effective July 25, 2013, requires that certain corrective action activities include a Project Labor Agreement (PLA) if payment of costs is requested from the UST Fund. Visit the Leaking UST Program Web page at www.epa.state.il.us/land/lust for information about Senate Bill 20, the fact sheet, and the PLA Certification. For corrective action activities that require a PLA, a complete application for payment from the UST Fund must contain a PLA Certification in order for payment from the UST Fund to be approved.

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Eric Kuhlman, at 217-785-5715.

Sincerely,



Harry A. Chappel, P.E.
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

HAC:EK:P\

c: Schrack Environmental Consulting, Inc.
BOL File